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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/443,684	11/18/1999	ROBERT E. PENTECOST	10990654-1	7581

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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 05/07/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

13

## Office Action Summary

Application No.

09/443,684

Applicant(s)

PENTECOST ET AL.

Examiner

Saeid Ebrahimi-dehKordy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Vidyanand (U.S. patent (6,330,071))

Regarding claim 1, 10 and 15 Vidyanand discloses: An apparatus for printing pages of a print job, comprising: a page analyzer operative to identify static page aspects and variable page aspects from page data within a print job (please note Figs. 6 and 7 column 4 lines 35-40 where the master or static data and variable data are analyzed and sent to be printed) a converting apparatus communicating with the page analyzer and operative to convert the static page aspects into static page layout objects

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and the variable page aspects into variable print data (please note column 4 lines 41-47 where the to break up and convert the job 701) an identifying apparatus communicating with the converting apparatus and operative to identify the static page layout objects in the manner allowing for an optimized form to be created and to allow for appropriate Merging with the variable print data (please note Fig.8 column 4 lines 48-56 where the part of the job static or master and variable data are put together and merged to create one page). An optimizer apparatus communicating with the identifying apparatus and operative to convert the static page layout objects to an optimized form (please note Fig.14 lines 49-57 where the detection mechanism 1406 detect that the job is a special job and puts it in optimized form) a storage apparatus communicating with the optimizer apparatus and operative to store at least one instantiation of the static page layout objects in the optimized form (please note Fig.12 and 13 where the appropriate and optimized master or static page is stored in the page buffer) and a merging apparatus communicating with the storing apparatus and operative to merge the static page layout objects with the variable print data to create merged- print data (please note Fig.12 and 13 column 6 lines 22-24 where the variable page is then overlaid on to the master or static page and sent to be printed).

Regarding claim 2 Vidyanand discloses: The apparatus of claim 1 wherein the page analyzer resides within a printer (please note Fig.14 item 1407 column 6 lines 46-48 the analyzer or disassembler which could be either in the printer or print server).

Regarding claim 3 Vidyanand discloses: The apparatus of claim 1 wherein the page analyzer resides within the printer server (please note Fig.14 item 1407 column 6 lines 46-48).

Regarding claim 4 Vadyanand discloses: The apparatus of claim 1 wherein the optimizer apparatus removes the static page layout objects that are not in an optimized form during the converting activity in order to recover memory (please note Fig.3 column 4 lines 20-32 where the disk space occupied by the static or master data images 302 is typically reclaimed).

Regarding claims 5 and 16 Vadyanand discloses: The apparatus of claim 1 wherein the merging apparatus includes a static page buffer and a variable page buffer the static page buffer capable of receiving raster print data for the optimized form of the static page layout objects and the variable page buffer operative to receive raster print data for the variable print data (please note Fig.8 column 4 lines 48-56).

Regarding claim 6 Vadyanand discloses: The apparatus of claim 5 wherein the merging apparatus is further operative to convert the optimized form of the static page layout objects stored in the storage apparatus to a raster form and to convert the variable print data to a raster form the merging apparatus further operative to initialize the static page buffer with the optimized form of the static page layout objects in the raster form and thereafter to merge the optimized form of the static page layout objects with the variable print data by transmitting the variable print data in the raster form to the variable page buffer (please note Figs.12 and 13 column 6 lines 17-25 where the optimized variable data is overlaid the on to the master or static data).

Regarding claim 7 Vidyanand discloses: The apparatus of claim 1 wherein the static page aspects comprise static image elements (please note column 4 lines 29-30).

Regarding claim 8 Vidyanand discloses: The apparatus of claim 1 wherein the static page layout objects comprise forms (please note column 4 lines 7-19).

Regarding claim 9 Vidyanand discloses: The apparatus of claim 8 wherein a processed form comprises at least one layer (please note column 5 lines 50-59).

Regarding claim 11 Vidyanand discloses: The page printing apparatus of claim 10 wherein the static layer is formed from static page layout objects (please note column 5 lines 17-20).

Regarding claim 12 Vidyanand discloses: The page printing apparatus of claim 10 wherein the variable layer is formed from variable print data (please note column 5 lines 8-10).

Regarding claim 13 Vidyanand discloses: The page printing apparatus of claim 10 where each of the static layer and the variable layer comprise a process collection of page layout objects including one or more of images, graphics, and text represented in a page description language (please note column 6 lines 34-39).

Regarding claim 14 Vidyanand discloses: The page printing apparatus of claim 10 wherein the storage apparatus is configured to store the static layer for re-use by caching the static layer within the storage apparatus (please note column 5 lines 8-17).

Regarding claim 17 Vidyanand discloses: The method of claim 15 further including removing the static page layout objects present in non-optimized form

following converting the at least one instantiation of the static page aspects into the static page layout objects (please note column 6 lines 45-57).

Regarding claim 18 Vidyanand discloses: The method of claim 15 wherein the static page layout objects form a static layer and wherein the variable print data forms a variable layer (please note column 6 lines 17-24).

Regarding claim 19 Vidyanand discloses: The method of claim 18 wherein the step of storing at least one instantiation of the static page layout objects comprises layer caching the static layer within memory for later re-use (please note column 5 lines 8-16).

Regarding claim 20 Vidyanand discloses: The method of claim 15 wherein a plurality of the static page layout objects together provide a form that includes one or more of images graphics and text represented in a page description language (please note column 6 lines 16-24).

### **Other prior art cited**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vidyanand (U.S. patent 6,330,071) is pertinent as disclosing a variable data print job system.

Soma et al (U.S. patent 6,204,935) is pertinent as disclosing an image processing method and an image processing apparatus.

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**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, can be reached at (703) 305-4712.

**Any response to this action should be mailed to:**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9314, or (703) 308-9052 (for **formal** communications; please mark  
"EXPEDITED PROCEDURE")


**Or:**

(703) 306-5406 (for **informal** or **draft** communications, please label  
"PROPOSED" or "DRAFT")

**Hand delivered responses** should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

*Saeid Ebrahimi-Dehkordy*  
Patent Examiner  
Group Art Unit 2622  
May 1 2003

  
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